THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.14460 OF 2006

Dated:18.07.2006

Between:

P.Gangadhar Rao and anohter

…Petitioners

and

The Sub Registrar, Maheswaram, Maheswaram Mandal, Ranga Reddy District and another.

…Respondents

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WRIT PETITION No.14460 OF 2006

ORDER:

The petitioners have statedly purchased an agricultural land admeasuring Acs.6.30 guntas in Survey No.131 of Pendyala village, Maheswaram Mandal, Ranga Reddy District from one Mohd.Ameen by paying valid sale consideration. The petitioners approached the first respondent for registration of the sale deeds. The first respondent allegedly refused to register the same and returned it on the ground that the second respondent issued a notice during April 2006 not to register the property in question. Hence, the present writ petition.

Heard learned Counsel for the petitioners and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 to 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. The communication sent by any Revenue Official cannot be basis for

rejection. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.09.2004.

Following the above, this writ petition is disposed of directing the first respondent or any other Registering Officer to accept the document presented by the petitioners and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

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(V.V.S.RAO, J)

18.07.2006
vs